



CHAPTER xvi.

An Act for the abandonment of the Railways authorised by the Felixstowe and Bawdsey Ferry Railway Act 1887. A.D. 1892.
—
[20th May 1892.]

WHEREAS by the Felixstowe and Bawdsey Ferry Railway Act 1887 (herein-after called "the Act of 1887") the Felixstowe and Bawdsey Ferry Railway Company (herein-after called "the Company") were incorporated with a share capital of forty-five thousand pounds and with authority to borrow on mortgage fifteen thousand pounds and were authorised to make and maintain the railways by that Act authorised in the said Act and in this Act referred to as "the railways":

And whereas by the Felixstowe and Bawdsey Ferry Railway (Extension of Time) Act 1890 the period limited by the Act of 1887 for the completion of the railways was extended:

And whereas no part of the capital authorised by the Act of 1887 has been issued and none of the powers of that Act in relation to the taking of land or the making of the railways have been exercised and it is expedient that the railways be abandoned and the affairs of the Company wound up and the Company dissolved:

And whereas the objects aforesaid cannot be effected without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say):

1. This Act may for all purposes be cited as the Felixstowe and Bawdsey Ferry Railway (Abandonment) Act 1892. Short title.

2. The Company may and shall abandon the making of the railways. Abandonment of railways.

A.D. 1892.

Compensation for damage to land by entry &c. for purposes of railways abandoned.

3. The abandonment by the Company under the authority of this Act of the railways shall not prejudice or affect the right of the owner or occupier of any land to receive compensation for any damage occasioned by the entry of the Company on such land for the purpose of surveying and taking levels or probing or boring to ascertain the nature of the soil or setting out of the line of railway and shall not prejudice or affect the right of the owner or occupier of any land which has been temporarily occupied by the Company to receive compensation for such temporary occupation or for any loss damage or injury which has been sustained by such owner or occupier by reason thereof or of the exercise as regards such land of any of the powers contained in the Railways Clauses Consolidation Act 1845 or the Act of 1887 or any other Act relating to the Company.

Compensation to be made for non-completion of purchase &c.

4. Where before the passing of this Act any contract has been entered into or notice given by the Company for the purchasing of any land for the purposes of or in relation to the railways or any portion thereof the Company shall be released from all liability to purchase or to complete the purchase of any such lands but notwithstanding full compensation shall be made by the Company to the owners and occupiers or other persons interested in such lands for all injury or damage sustained by them respectively by reason of the purchase not being completed pursuant to the contract or notice and the amount and application of the compensation shall be determined in manner provided by the Lands Clauses Consolidation Act 1845 as amended by any subsequent Act for determining the amount and application of compensation paid for lands taken under the provisions thereof.

Providing for release of deposit.

5. Subject to the provisions of this Act and of section 37 of the Act of 1887 with respect to compensation to landowners and other persons injured and for the protection of creditors the High Court may and shall at any time after the passing of this Act on application by the person or persons or the majority of the persons named in the warrant or order mentioned in section 36 of the Act of 1887 or the survivors or survivor of them or the executors or administrators of such survivor order that the one thousand five hundred and fifty-three pounds and seven shillings Three per cent. Consolidated Bank Annuities or any other stocks or funds in which the same may have been invested and the interest or dividends thereon may be transferred or paid to the person or persons so applying or to any other person or persons whom they or he may appoint in that behalf and upon such order being made the said

annuities or any other stocks or funds in which the same may have been invested and the interest or dividends thereon shall be transferred or paid to such person or persons accordingly. A.D. 1892.

6. Forthwith after the passing of this Act the Company shall proceed to wind up their affairs and shall pay satisfy and discharge all their debts liabilities and engagements and for the purposes of this Act and of section 37 of the Act of 1887 the Company shall be deemed to be ordered to be wound up within the meaning of that section. Provision for winding up affairs of Company.

7. When all the debts liabilities and engagements of the Company are paid satisfied and discharged and the affairs of the Company are wound up the Company shall be by this Act dissolved and shall thenceforth wholly cease to exist and thereupon the Act of 1887 and all other Acts relating to the Company shall be by this Act repealed. Dissolution of Company.

8. All costs charges and expenses of and incident to the applying for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company. Expenses of Act.

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